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Loan Servicing, LLC d/b/a SLS*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

THOMAS R. LAYTON, an individual

Plaintiff,

v.

SPECIALIZED LOAN SERVICING, LLC, a  
Delaware limited liability company d/b/a SLS,

Defendant.

Case No. 2:20-cv-01225-JAD-EJY

**STIPULATION AND ORDER TO  
EXTEND DEADLINE FOR DEFENDANT  
SPECIALIZED LOAN SERVICING, LLC  
TO FILE RESPONSIVE PLEADING TO  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT**

**[FIRST REQUEST]**

Defendant Specialized Loan Servicing LLC ("SLS") and Plaintiff Thomas R. Layton ("Plaintiff"), by and through their undersigned counsel of record, hereby stipulate and agree as follows:

1. Plaintiff filed a putative Class Action Complaint ("Complaint") against SLS in the Eighth Judicial District Court for the State of Nevada in the above-captioned action on May 27, 2020.

2. Plaintiff served the Complaint on SLS on May 29, 2020.

3. On June 29, 2020, SLS removed the matter to this Court pursuant to the 28 U.S.C. § 1441 and 28 U.S.C. § 1332(d).

4. Pursuant to Fed. R. Civ. P. 81(c)(2), the deadline for SLS to respond to the Complaint was July 6, 2020, which date was continued to July 31, 2020 by virtue of the Court's Order granting Defendant's Motion to Extend Time to Answer or Otherwise Respond to Plaintiff's Complaint and Set Briefing Schedule (First Request)(ECF No. 4).

1           5.       The Court later continued this deadline to September 29, 2020 and then November 30,  
2 2020, and finally to January 29, 2021 by virtue of the Court's Order granting the Parties' Stipulation  
3 and Order to Extend Deadline for Defendant to File Responsive Pleading to Plaintiff's Complaint  
4 (Second Request) (ECF No. 7), the Parties' Stipulation and Order to Extend Deadline for Defendant to  
5 File Responsive Pleading to Plaintiff's Complaint (Third Request) (ECF No. 12), and the Parties'  
6 Stipulation and Order to Extend Deadline for Defendant to File Responsive Pleading to Plaintiff's  
7 Complaint (Fourth Request) (ECF No. 14). The Court entered orders granting the Parties' stipulations  
8 based on, among other things, ongoing settlement efforts and a family emergency for Plaintiff's counsel  
9 requiring her immediate attention.

10           6.       SLS filed its Motion to Strike Class Allegations (ECF No. 21) in response to Plaintiff's  
11 Complaint on January 29, 2021.

12           7.       On March 1, 2020, Plaintiff filed the First Amended Complaint (ECF No. 27).

13           8.       Counsel for the Parties seek a thirty (30)-day extension to the deadline for SLS to  
14 respond to the First Amended Complaint from March 15, 2021 to April 15, 2021 to allow counsel for  
15 SLS adequate time to review the First Amended Complaint and prepare an appropriate response and to  
16 also permit the Parties to continue discussing a potential resolution of the matter.

17           9.       Additionally, given that SLS presently anticipates filing a motion in response to  
18 Plaintiff's First Amended Complaint, counsel conferred and stipulated to the following briefing  
19 schedule:

- 20                   a.   Deadline for SLS to respond to the First Amended Complaint: April 15, 2021;  
21                   b.   Deadline for Plaintiff to file his opposition to any SLS motion: May 17, 2021; and,  
22                   c.   Deadline for SLS to file its reply to Plaintiff's opposition: June 7, 2021.

23           10.      This request is made in good faith and not for the purpose of delay. Rather, the Parties  
24 believe that the requested continuance will further the interests of efficiency and judicial economy by  
25 allowing the Parties additional time for potential resolution of the matter.

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27       ///

28       ///

1        THEREFORE, and for good cause shown, the Parties respectfully request that the deadline for  
2 SLS to file a response to the First Amended Complaint be extended up to and including **April 15, 2021**.

3        FURTHER, and for good cause shown, the briefing schedule for any motion filed by SLS in  
4 response to the First Amended Complaint shall be as follows:

- 5            a. Deadline for SLS to respond to the First Amended Complaint: April 15, 2021;  
6            b. Deadline for Plaintiff to file his opposition to any SLS motion: May 17, 2021; and,  
7            c. Deadline for SLS to file its reply to Plaintiff's opposition: June 7, 2021.

8        IT IS SO STIPULATED

9        DATED this 10<sup>th</sup> day of March, 2021.

DATED this 10<sup>th</sup> day of March, 2021.

10       GREENBERG TRAURIG, LLP

CLARK NEWBERRY LAW FIRM

11       /s/ Jacob D. Bundick

/s/ Aimee Clark Newberry

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16       *Counsel for Specialized Loan Servicing LLC*

*Counsel for Thomas R. Layton*

17  
18       **ORDER**

19       **IT IS SO ORDERED:**

20         
21       ELANYA J. YOUCHAH  
22       UNITED STATES MAGISTRATE JUDGE

23       DATED: March 10, 2021